

# Gila Resources Information Project

*Promoting healthy communities by protecting our environment*

August 31, 2007

Chris Eustice, Chino AOC Project Manager  
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## **Re: Ten-Year-Review of the AOC/CWG Process for the September 2007 CWG Meeting**

Dear Mr. Eustice,

Thank you for preparing a Ten-Year-Review Presentation for the September 18, 2007 Community Work Group (CWG) meeting. As an original member of the CWG, I am pleased to have endured these last ten years and still find the process and the subject matter interesting and of vital importance.

I have compiled a list of suggested topics to cover in the Ten-Year Review of the AOC/CWG. I also have some questions listed I hope that you will answer during the meeting.

### **Topics of Concern:**

AOC/Discharge Permit Overlap: pros and cons, examples.

AOC, NMED and EPA funding: What is the annual budget for the AOC process? How much funding is received by NMED and EPA to participate?

AOC Financial Assurance: Has the financial assurance status needs to be updated re: PD merger with Freeport McMoRan?

AOC/Superfund Comparison: The AOC commits to a "Superfund quality" clean-up at the Chino mine. Over the past ten years, has AOC processes, deliverables, and interim cleans up been comparable to Superfund clean ups?

EPA Role: Describe EPA involvement over ten years. Has it been altered significantly?

TAG Fund status: How much has of the fund been used to date and what is remainder in the budget? Where is this funding located? Describe to newer members what the fund is for.

CWG: How effective has the CWG been? How has the CWG affected the process?

Time Frame and Scheduling: What have been the causes of delays to the schedule? Is there a revised schedule for a Record of Decision (hard copy suggested)? Is there a negotiation process for changes in schedules?

AOC/Penalties for late submissions: Are there penalty fees if the deliverable schedule is not met? Have any fines been levied to date?

Public Forum: What are the guidelines, NMED concerns, and best use for the public forums?

Open House Policy: What are the guidelines, number to date and effectiveness? What are the advertising requirements for open houses?

AOC Updates and Member Information and updating process: What are the guidelines for updating the CWG on AOC progress? What are the guidelines for educating new CWG members about the process and actions? How effective has the current process been for updating the CWG? Are there ways to improve the process?

Community Relations Plan: What does the CRP say? Is the CRP being followed? Is the CRP up to date? Does it need to be revised?

Newsletters: What are the guidelines for developing and distributing newsletters to the public? How many have been produced to date? Have they been effective? Can the newsletters be improved and how?

Health Advisory: How effective is The Health Advisory for the Hurley soils clean-up process? Was there any follow up to see if the Advisory was followed? Are the conditions in the amendment to the AOC being followed? What happen to household information gathered by CMC?

Other Amendments to the AOC: What are the amendments to the AOC? Have they been effective? Are additional amendments necessary?

Lead Education: What are the requirements for lead education including the duration for education programming? How effective has the lead education been?

Interim Actions: What are the pros and cons of implementing interim actions as opposed to a Record of Decision?

I also suggest that an AOC update be created in hard copy form showing the progress of each unit, including the reports completed and status and projected schedule of uncompleted reports, and a brief summary of any Interim Actions, Remedial Action Criteria and the important conclusions of any Risk Assessments completed.

I realize this may be too much to cover in one meeting and suggest that the CWG is consulted concerning which of these concerns we can agree to place on the agenda for future meetings. All these concerns are important to me and I hope that the CWG makes time for discussion of each.

Thank you for the work you have done thus far. Reading the Risk Assessments for the Smelter/Tailings IU and the Hanover/Whitewater Creek IU reminds me of just how complicated and detailed and tedious this process has been and will continue, by necessity, to be. Your patience with the process and with those of trying to keep up with it is appreciated.

Sincerely,



Sally Smith, President

CC: Mary Ann Menetrey, NMED  
Phil Harrigan, NMED  
Mark Purcell, EPA  
AOC repository files